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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Lewis R. Dove, et al.

Serial No.: 10/761,972

Examiner: Lee, Benny T.

Filing Date: January 20, 2004

Group Art Unit: 2817

Title: DOUBLE DENSITY QUASI-COAX TRANSMISSION LINES

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

TRANSMITTAL OF REPLY BRIEF

Sir:

Transmitted herewith is the Reply Brief with respect to the Examiner's Answer mailed on July 11, 2006. This Reply Brief is being filed pursuant to 37 CFR 1.193(b) within two months of the date of the Examiner's Answer.

(Note: Extensions of time are not allowed under 37 CFR 1.136(a))

(Note: Failure to file a Reply Brief will result in dismissal of the Appeal as to the claims made subject to an expressly stated new grounds of rejection.)

No fee is required for filing of this Reply Brief.

If any fees are required please charge Deposit Account 50-1078.

Respectfully submitted,

- ☒ I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

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Lewis R. Dove, et al.

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Date: AUGUST 30, 2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appl. No. : 10/761,972 Confirmation No. 4019
Applicant : Lewis R. Dove, et al.
Filed : January 20, 2004
TC/A.U. : 2817
Examiner : Lee, Benny T.

Docket No. : 10020702-1

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

This Reply Brief is submitted in response to the Examiner's Answer of July 11, 2006.

In the Examiner's Answer of July 11, 2006, and on pages 6 and 7, the Examiner indicates:

the critical issue appears to be one of what appropriately characterizes a "valley" and whether such a characterization of the "valley" in Leeb or Matsubayashi et al is sufficient to anticipate such a claim limitation. ...the space between the raised sloping walls of the first and second shielded transmission lines in either Leeb or Matsubayashi et al, as interpreted by the examiner in the above rejection, would indeed constitute a "valley". ...any structure (e.g. another "shielded transmission line", etc.) is placed or located in such a space would necessarily have been considered by one of ordinary skill in the art to have been "filling" the "valley" and thus would have met this claim recitation.

As illustrated in FIG. 3, and as recited in claim 1, there is called for a third dielectric, **filling a valley** between the first and second mounds of dielectric and encapsulating a third conductor. (Emphasis added.) Appellants assert that Leeb or Matsubayashi may arguably disclose the configuration of a "shielded transmission line...**placed or located** in such a space" such that there is disclosed "**placing**" or "**locating**" a dielectric in the location (i.e., the "valley" as characterized by the Examiner). However, placing or locating a structure

between two other structures does not include the specific limitation of a third dielectric "**filling**" a "valley".

Furthermore, in response to Appellants' argument that "if Leeb and Matsubayashi form all of their dielectric mounds in parallel (which it appears is the case), then it is questionable whether Leeb or Matsubayashi really disclose forming a third dielectric mound in 'a valley between' first and second mounds of dielectric, as such a valley is never really created", the Examiner states on page 7:

...while it is acknowledged that the "mounds" in Leeb or Matsubayashi et al are arranged "in parallel", it should also be noted that appellants' "mounds" (i.e. first, second, third) are likewise considered to be arranged "in parallel" in much the same manner as in Leeb or Matsubayashi et al.

Appellants respectfully disagree with the Examiner, and believe that the Examiner has misunderstood or mischaracterized Appellants' argument. The phrase "in parallel" refers to the timing of the operation to create each of the dielectric mounds. Appellants assert that Leeb and Matsubayashi create the each of dielectric in parallel rather than in series. Looking at FIG. 3, claim 1 calls for a third dielectric, **filling a valley** between the first and second mounds of dielectric and encapsulating a third conductor. (Emphasis added.)

Concerning independent claims 8 and 13, on page 8, the Examiner indicates that:

...the critical issue appears to be one of whether in a method claim, a certain order in the method steps must be followed in the formation of the final product...since a specific order in forming the mounds is not specifically recited and hence not required, then a formation of the multiple mounds at the same time would still meet method claim 8 as recited.

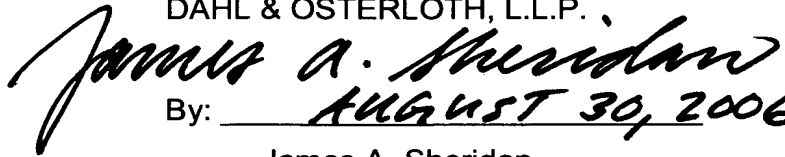
Claim 8 calls for **depositing a third lower dielectric in a valley between the first and second upper and lower mounds of dielectric**. Claim 13 calls for **depositing a third lower dielectric in a valley between the first and second lower mounds of dielectric**. Appellants reiterate that the third lower dielectric cannot be deposited "in a valley" if the valley is not yet created.

Therefore, the Examiner's assertion that "a formation of the multiple mounds at the same time would still meet method claim 8 as recited" cannot meet at least the above-identified limitation of "depositing a third lower dielectric in a valley".

In summary, the art of record does not teach nor suggest the subject matter of Appellants' claims 1-3, 5, 8, 12, 13 and 17. These claims are therefore believed to be allowable.

Respectfully submitted,

DAHL & OSTERLOTH, L.L.P. ,


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